

National Sovereignty Vs. Globalization

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Abstract

Globalization entails the increasing volume, velocity and importance of flows within and across borders of people, ideas, goods, money, and much else, thus challenging one of sovereignty's basic principles: the ability to control what crosses borders in either direction. Sovereign States increasingly measure their vulnerability not to one another, but to forces beyond their control. Necessity may also lead to reducing or even eliminating sovereignty when a government, whether from a lack of capacity or conscious policy, is unable to provide for the basic needs of its citizens. This reflects a view that state failure and genocide can lead to destabilizing refugee flows and create openings for terrorists to take root.

Globalization is frequently discussed as a counterpoint to national sovereignty. It is commonly asserted that globalization has eroded national sovereignty or that it has rendered borders obsolete. In particular, it is asserted that, in a globalized world economy, governments have no alternative but to adopt neoliberal economic policies of privatization, deregulation and reductions in public expenditure. However, in the contest between social democracy and neoliberal globalization, the nation—state *per se* is only marginally relevant. The crucial issue is whether policy will respond to the wishes of a democratic electorate, or be tightly constrained by the 'Golden Straitjacket' of international financial markets.

Keywords: globalization; sovereignty; nation; nationalism; state; border.

Introduction

The world formed by over 190 States now co-exist with a larger number of powerful non-sovereign actors, ranging from corporations to non-government organizations (NGOs), from terrorist groups to drug cartels, from regional and global institutions to banks and private equity funds. The sovereign state is influenced by them (for better and for worse) as much as it is able to influence them. The near monopoly of power once enjoyed by sovereign entities is being eroded.

As a result, many claim, new mechanisms are needed for regional and global governance that include actors other than States. This is not to say that Microsoft, Amnesty International, or Goldman Sachs be given seats in the United Nations General Assembly, but it does mean including representatives of such organizations in regional and global deliberations when they have the capacity to affect whether and how regional and global challenges are met.

Moreover, and this is a widespread opinion, States must be prepared to give up some sovereignty to world bodies if the international system is to function. This is already taking place in the trade sector. Governments agree to accept the rulings of the World Trade Organization because on balance they benefit from an international trading order, even if a particular decision requires that they alter a practice that is their sovereign right to carry out.

At its core, globalization entails the increasing volume, velocity and importance of flows within and across borders of people, ideas, goods, money, drugs, viruses, emails, weapons, and much else, challenging one of sovereignty's fundamental principles: the ability to control what crosses borders in either direction. Sovereign States increasingly measure their vulnerability not to one another, but to forces beyond their control.

Globalization thus implies that sovereignty is not only becoming weaker in reality, but that it needs to become weaker. States would be wise to weaken sovereignty in order to protect themselves, because they cannot insulate themselves from what goes on elsewhere. Sovereignty is no longer a sanctuary. This was demonstrated by the American and world reaction to Afghanistan's Taliban government, which provided access and support to al-Qaeda, was removed from power. Similarly, America's preventive war against an Iraq that ignored the UN and was thought to possess weapons of mass destruction showed that sovereignty no longer provides absolute protection. Imagine how the world would react if some government were known to be planning to use or transfer a nuclear device or had already done so. Many would argue correctly that sovereignty provides no protection for that State.

Necessity may also lead to reducing or even eliminating sovereignty when a government, whether from a lack of capacity or conscious policy, is unable to provide for the basic needs of its citizens. This reflects not simply scruples, but a view that state failure and genocide can lead to destabilizing refugee flows and create openings for terrorists to take root. The North Atlantic Treaty Organization's intervention in Kosovo was an example where a number of governments chose to violate the sovereignty of another government to stop ethnic cleansing and genocide. By contrast, the mass killing in Rwanda and in Darfur, Sudan, demonstrate the high price of judging sovereignty to be supreme and thus doing little to prevent the murder of innocents.

Our notion of sovereignty must therefore be conditional, even contractual, rather than absolute. If a State fails to live up to its side of the bargain by sponsoring terrorism, either transferring or using weapons of mass destruction, or conducting genocide, then it forfeits the normal benefits of sovereignty and opens itself up to attack, removal or occupation. The diplomatic challenge for this era is to gain widespread support for principles of state conduct and a procedure for determining remedies when these principles are violated. The goal should be to redefine sovereignty for the

era of globalization, to find a balance between a world of fully sovereign states and an international system of either world government or anarchy.

The basic idea of sovereignty, which still provides a useful constraint on violence among States, needs to be preserved. But the concept needs to be adapted to a world in which the main challenges to order come from what global forces do to states and what governments do to their citizens, rather than from what states do to one another.

Globalization: advantages and disadvantages

The generally accepted definition of globalization does not exist, as far as it has most different meanings. Without any claim to a unequivocal definition, it can be determined it in the following way. Globalization is a process as a result of which the world becomes more connected and more dependent on all its subjects. Both the increase of the quantity of problems common for States and the expansion of the number and types of integrand subjects take place.

In other words the peculiar system emerges, where the problems of separate countries, nations, regions and other subjects (corporations, different associations, global media holding companies *etc.*) interlace into one tangle. Separate local events and conflicts influence a great number of countries. At the same time decisions in the most significant centers of the world have an effect on all the fates. In general 'the processes of globalization in the broadest sense are characterized by the abrupt intensification and complication of mutual contacts in the basic branches of the economic, political and social life, gaining planetary scales'. Globalization is an exclusively versatile process. Practically all spheres of life experience its impact. Lots of positive as well as negative phenomena also gain a global character *e.g.*, the struggle for the preservation of the environment, the antiglobalistic movement itself, drug mafia *etc.*

Any development always means that a certain part of changes makes the situation sometimes worse in comparison with the previous events. The scope of sovereign prerogatives leads both to positive and negative consequences. Thus, the greater than before openness of boundaries provides not only the increase of trade but also contributes to the expansion of terrorism and facilitates drug traffic. At the same time the balance of advantages and disadvantages looks different for different countries, regions, territories even different social strata. This implies such an ambiguous perception of globalization. Thus is not in vain that its critics point at the irregularity in benefiting globalization and the increasing gap in the living standard of different countries. It is important to note that setting up the outlines of the new order, globalization thereby breaks the old one, functioning within the state system's framework, therefore, the speed of the destruction of old relations often exceeds the speed of the formation of the new ones. In particular, in a number of countries

this becomes apparent in the destruction of traditional ideology, based on the sacralization of fatherland and nations, and consequently, in the weakening of such earlier highly evaluated qualities as patriotism due to the growth of alternative to the national preferences and identifications. But instead globalization has not created any complete ideology to fascinate masses.

The notion of sovereignty

Sovereignty is usually defined as the most essential attribute of the state in the form of its complete self-sufficiency in the frames of a certain territory i.e., its supremacy in the domestic policy and independence in the foreign one. This notion became widespread in the 19th century. But already at the beginning of the Modern Age it got quite a definite interpretation in the works by Machiavelli, Bodin, Hobbes and others. Within the Westphalian system of international relations, (it formed after the Thirty Year War and 1648 Peace Treaties of Westphalia), the principles of state sovereignty gradually obtained the all-European, and then universal appreciation. However, it is important to note that this 'normative trajectory' of international law was fully described only by the end of the 18th – early 19th century, this was especially connected to the events of the French Revolution, and also with Napoleon Wars and a new order established after the Vienna Congress in 1815. At present the UN Charter and some other international agreements contain regulations on sovereign equality of states and nations' right to self-determination which together with the increasing degree of external security of most countries, in our view has sufficiently contributed to the consolidation of the idea of national sovereignty in international affairs in the second half of the 20th century. Indeed, the tendency toward the recognition of the sovereign rights is combined with the tendency toward their voluntarily constraint by the sovereigns themselves.

However, the notion of sovereignty is one of the most difficult and ambiguous and its content has constantly changed and continues changing in connection with the transformations of international relations and characteristics of the states themselves, even in connection with complexity of definition of the notion of state. This content also changed depending on who is implied as the supreme sovereign: a feudal monarch having the right to grant or split states when sharing the inheritance, an enlightened absolute monarch who acts on behalf of people, or the nation itself. Besides, the sovereignty that is absolute in theory of states was always strongly and even fatally limited by different factors. Sovereignty can be regarded in different aspects and versions.

In other words, the notion of sovereignty is not univocal and indisputable but provokes numerous debates and, thus, demands a considerable elaboration, including various approaches to the classification of the states themselves possessing sovereignty.

One gradually becomes aware of the necessity of re-interpretation and re-appraisal of the notion of 'sovereignty' in connection with the emergence of the world political community, defining boundaries of private sovereignty, principles of their combination with each other and building their hierarchy, and also taking into consideration actions of other different subjects: numerous non-governmental organizations, multinational structures and arrangements, also considering the development of various global ideologies, for example, Global Civil Society.

Globalization and a reduced sovereignty

As I stated before, in practice the sovereign rights and powers both of States and nations were always limited by various factors. Nevertheless, in theorists' minds 'Westphalian sovereignty' (*i.e.*, unlimited sovereign rights) still existed. In present days it becomes clearer that Westphalian system with its principles of international relations has fundamentally changed. It is also important to mention that nowadays the idea of states' free play seems wrong even from a merely theoretical point of view. The point is that the scope of the inner sovereignty has legally narrowed to a large degree due to the international agreements including the issues concerning human rights and what is more – actually, in connection with already formed models and traditions of states' behavior. That is why a number of political scientists think the more precise definition or a reconsideration of the notion of sovereignty is needed.

In my opinion there is a whole range of factors which influence the process of changing national sovereignty including, of course, technological and economic changes, the aspiration for escaping wars, the presence of global problems uniting countries, the processes of the regional rapprochement, the rapid extension of the scope of contacts of all types and levels among the residents of different countries; the necessity of solving the great number of issues and settling controversial questions, increasing number of democratic regimes in the world, etc. However, the factor of voluntariness in reducing the scope of powers for the sake of gaining extra prestige and benefits may be considered among them the most significant, moreover, this very fact, as far as we see, defines the necessity of this movement. Thereupon, I would like to draw attention to the major process lasting since the end of the World War II, as a result of which many countries deliberately start limiting themselves in seemingly most sovereign things.

Hence it is possible to make an important thought on the whole obvious conclusion: the domestic affairs of a state where nobody intervenes and which are regulated only by national law and traditions, are contracting and at that in many respects a voluntary refusing of sovereign from their sovereign rights and international law or law of a definite community (of a collective participation) is expanding.

The processes of internationalization have started not today but have already been going on for centuries accelerating all the time. But as I have already mentioned, the prevalence and power of these processes yesterday and today are incomparable, in other words at present they have obtained a qualitatively different level in comparison with past epochs. First, they have embraced the whole world. Second, the economic alliances were uncommon before and now they have become the most typical form of associations. And some of the economic organizations (such as WTO, IMF) encompass the majority of countries of the world. The scale and aims of political associations have also changed. Third, the intensity and regularity of state leaders' contacts have grown enormously. And the problems they solve have changed greatly. Fourth, only a few countries are able to carry out an isolationist policy today and avoid any associations (like the policy of 'brilliant isolation' that the Great Britain was carrying out in the 19th century).

Subnational, national, supranational

As has been mentioned above, in political science it is realized to a certain degree that the doctrine of national sovereignty has become old-fashioned. However it seems that most researchers (especially in Russia) still underestimate the gravity of changes of sovereignty and the necessity to re-think this notion itself in the context of modern processes, but also a great number of others, connected with it. At the same time we agree that the State still principally remains (and will endure for quite a long time) the superior unit of historical and political life. Moreover, the division of the new and old phenomena is always a crucially important matter and a new order comprises very strong elements of the old one.

However, obviously, the scope of the sovereign rights in the modern world has greatly redistributed, so in the international community there no more exist 'one and indivisible' government and public and national sovereignty. The sovereignty is more often distributed between supranational, national, subnational, and sometimes regional and municipal units. Consequently, as has been mentioned above, new powerful factors have appeared and in the long run these factors gradually lead the state to stop being the principal sovereign and to give this place to larger supranational formations and structures. And in my opinion this tendency will be increasing. On the other hand, I would like to add that this is not a one-sided and univocal but a many-sided process: sovereignty will reduce somehow (*e.g.*, in matters concerning economic strategy) but in some way, it will become stronger and even grow. So, *e.g.*, Egbert Yan considers that ethnical-linguistic, cultural and social functions of the state will increase. That is why it is dangerous to hurry too much to bury national state, for a long time it will remain the leading player in international affairs (as on the whole one should be cautious enough while forecasting the global political changes). Besides,

as some scholars fairly point out, the abrupt reduction of sovereignty and traditional functions of a state may cause chaos.

Though sovereignty is contracting, we find significant this principle itself (more exactly the appeal to it in certain cases), that will probably long remain one of the most important in the international affairs. That is why its open disrespect will continue to provoke condemnation. When old ideas are still alive and the new ones have not become firmly established the collisions may obtain a form of opposition of principles which hides their historical significance. In that case it is difficult to understand who is right, who is wrong. For instance, if one bases oneself on the right of the strong to openly trample on the sovereignty principle even with respect to a dictatorial regime, the sympathy may appear on the *per se* reactionary side. The war in Iraq in 2003 proves this. That is why it appears that in the legal and moral aspects really irreproachable arguments are desirable which would be based on the world organizations decisions (the UN in the first place). That is why to support the actions against the regimes-disturbers the sanctions of exactly this kind are important.

Therefore, as has been shown above, since the end of the Second World War the tendency is more clearly revealed that countries gradually delegate a part of their sovereignty to the world international organizations. Even a larger part of sovereignty passes to regional associations. And the integration of states in supranational economic associations is becoming more and more important part of globalization. Such supranational formations are present on almost all continents and in some cases a transformation of economic alliances into political ones is outlined. Of course, the process of creating really formed, systematically and profoundly integrated supranational formations can not be quick. Neither will it be smooth in my opinion, since all its members cannot ignore their own interests and in this or that way they will defend their interests against the others. Besides, within the countries themselves different political powers interpret national aims quite in a different way. In other words the adjustment of the supra- and intrastate interests is a difficult problem, and different confrontations are inevitable here. Besides, common aims also may be interpreted in a different way. In this sense, a very significant example is that of the USA which were able to bring together into a tight knot their purely national narrow political problems (such as the coming elections or the necessity to increase the president popularity) with world interests.

Nationalism and globalization

Globalization as has been proved by different studies produces a dual effect with respect to nationalism. On the one hand, there can be observed a tendency to reduction of national sovereignty, on the other – a heavy growth of nationalism and even the smallest nationalities' striving for gaining their own sovereignty. The

explanation of the reasons of separatism in the present period, to which we arrived, at first glance may seem paradoxical: nationalism is gaining strength because states are weakening as systems. However, there is no real paradox here, especially taking into account that the most states' security is actually provided by the world community and the strongest states. Besides, nations are not eternal essences, but ethno-political societies, forming mostly within the state framework and under the influence of technological changes. Under certain conditions their solidarity and homogeneity intensify, and under the others – *vice versa* – weaken. So, creating the supranational systems in the 20th century proceeded parallel with the destruction of colonial empires as well as of the old and newly created states, especially multinational ones, note that some of them looked rather stable (the USSR, and earlier in the beginning of the process, Austria-Hungary). And such a collapse, as we see it, fulfills in a certain sense a progressive role, facilitating regional and world integration. But it is very morbid and destructive progress, which confirms the above-said ideas that a progress and regress are going hand in hand. The matter in fact is in their balance.

Which future?

Turning our mind to the integration processes, one inevitably asks a question whether it is possible in any way and if it is, then in what way to reconcile various interests of hundreds of states having not only diverse culture but a great gap in the level of development. After all, the acceleration of development of the world and limited time for solving global and other problems do not allow waiting till the underdeveloped countries find their own way of development, because such a search may take centuries. The opinion makes a certain sense that supporting the advance to the overcoming of the backwardness may be achieved only through creating an effective market and an effective state. And what if the state institution is weak, as in Tropical Africa and some other places? And what should we do if the state is on the contrary strong enough to bar the fairly necessary changes (as in North Korea or Cuba)? And what should be done with the countries whose population and even elite are unable to understand global problems?

Therefore, in my view, the problem passes to the suprastate level and is connected with the transformation of sovereignty and with the external influence on those countries, within which there is no power for independent changes. But we are convinced that whatever mild is such an influence from outside would be, it will somehow affect sovereignty. Its limitation in our opinion has two levels. On the one hand, the developing countries are themselves ready to unite into regional communities to assert their interests together and solve problems. On the other – they are connected with the global confrontation between various developed and developing countries (the North – South problem).

First of all the matter concerns global problems. They touch the whole World community, therefore, the Western interest in their solution in the underdeveloped countries will be surely increasing. And it seems the latter in their turn will have to limit sovereignty in this or that way to fit general rules. For instance, we take the risk of supposing that as demographic and ecological problems are closely connected, probably, the regulation of population level will gradually become not only national, but also a common matter. But to solve a lot of common problems it is necessary to become aware of the fact that development cannot always widen what requires a voluntary reducing in consumption and also the mechanisms capable of forcing the majority of countries to accept such limitations. We have advanced enough to be capable of realizing a new vocabulary, where a key word will be *limit*. The limits of the rise, plundering of the environment, interference in the animate nature, armament limits etc. It seems quite probable that there will be allocation of rates of the economic growth in future, as without it other limitations seem impossible to reach.

The concept of globalization has been central to many of the political and intellectual discourses of the 1990s. Used in very different ways by neoliberals, postmodernists and radical environmentalists among others, globalization has been interpreted in cultural, technological and geopolitical terms.

Globalization is frequently discussed as a counterpoint to national sovereignty. It is commonly asserted that globalization has eroded national sovereignty or that it has rendered borders obsolete. In particular, it is asserted that, in a globalised world economy, governments have no alternative but to adopt neoliberal economic policies of privatization, deregulation and reductions in public expenditure.

The starting point of the neoliberal account of globalization is the observation that states have abandoned or lost much of the border sovereignty they possessed for most of the 20th century. It is then argued that this loss of border sovereignty entails a loss of domestic economic sovereignty, so that states are constrained by the pressures of international capital markets to follow the neoliberal policy agenda of deregulation, privatization and small government, regardless of the wishes of their domestic electorates. A similar view is implicit, though not always clearly argued, in postmodernist and 'Third Way' accounts of globalization.

Social-democratic opponents of neoliberalism have responded to this argument in two main ways. First, they have argued that the loss of border sovereignty is primarily due to mistaken policies of financial deregulation, and have explored responses such as the imposition of 'Tobin taxes' on international financial transactions. Second, they have argued that the maintenance of social-democratic policies is both feasible and necessary if the economic disruption associated with globalization is not to lead to social injustice and disorder.

The concept of national self-determination was, however, confined to European nations and their colonial offshoots. The technological superiority of European and North American capitalism permitted the construction of a global economic system based on the concept of imperialism. The European powers carved up Asia, Africa and Oceania between them, establishing direct rule over most of the world and enforcing market access to countries that remained nominally independent, such as China and Japan. Under the Monroe doctrine, the United States played a broadly similar role in Central and South America. The colonial powers used a combination of taxation, expropriation and trade to extract raw materials from their colonies, while supplying them with manufactured goods. Unlike the mercantile system of the 18th century, however, there was no general prohibition on trade between the colonies of one European country and the merchants of another.

Furthermore, the idea of "State capacity" is useful in understanding the debate about globalization and neoliberalism. Despite claims to the contrary, the state retains a substantial capacity to intervene effectively in the economy. However, that capacity has not grown in line with the demands implied by the range of responsibilities taken on by governments in the postwar period. When the inadequate capacity of the state to meet all its obligations becomes undeniable, a period of crisis occurs, which, in most cases, has been followed by reforms aimed at increasing the role of the market and winding back that of the state. Because the growth in public provision of human services represents a response to real social and economic needs, however, neoliberal attempts to reduce the level of provision and the role of government have not, in general, been successful. As a result, the fiscal crisis of the state has been followed, not by fundamental change, but by a prolonged period of muddling through.

Conclusions

For neoliberals, the main policy problem arising from globalization is that of winding back attempts at government intervention in response to recognition of the limits on state capacity. By contrast, social democrats must consider how to order social priorities in the light of undeniable limits on state capacity, but also how to maintain and increase state capacity. In this section, some responses to the latter problem are considered.

Progress towards European economic unification remains limited. The European Monetary Union is already in place, although important European countries including the United Kingdom have so far not joined. Moves are now being made to harmonize the rates of tax on income from capital to prevent the competitive bidding down of rates. Some income redistribution across national boundaries has taken place, though primarily as the result of sectorial initiatives.

By contrast, the European Parliament and associated institutions such as the European Commission remain ineffectual, so that the European economic policy (other than monetary policy) is still effectively determined by national governments acting either alone or in consultation through bodies such as the Council of Europe. Nevertheless, given the steady progress towards integration that has taken place so far, it is reasonable to predict that federal European economic policy will continue to grow in importance relative to national policy.

If nation—states are taken as the unit of analysis, the integration of Europe represents a substantial loss of Westphalian and border sovereignty. However, in the contest between social democracy and neoliberal globalization, the nation—state *per se* is only marginally relevant. The crucial issue is whether policy will respond to the wishes of a democratic electorate, or be tightly constrained by the ‘Golden Straightjacket’ of international financial markets.

Claims of inevitability are commonplace in policy debates. It is frequently argued that the success of some policy program or other is historically inevitable and therefore should be supported. For much of the 20th century, historicist claims of this kind were most commonly made by Marxist and Fabian socialists, but during the 1990s, the same line of argument was taken over by supporters of neoliberal globalization.

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